

**Security Council**

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Letter dated 15 December 2009 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

The Security Council has been discussing, in the past few weeks, a draft resolution to impose a series of sanctions against Eritrea. The expert-level discussions appear to be almost complete and the authors of the draft resolution are pushing for its adoption on 18 December.

The ludicrous punitive measures proposed against Eritrea in the draft resolution include, among other things, the imposition of a military embargo; the inspection and seizure, in their territory, of cargo to and from Eritrea; and the imposition of a travel ban against, and the freezing of assets of, Eritrea's political and military leadership that may be blacklisted by a Security Council committee.

The draft resolution is tabled by Uganda. But in reality, the main architect of this resolution and the single country which has been campaigning frantically in the corridors of the United Nations premises in New York, as well as in various capitals of Security Council member States, for its adoption remains the United States of America.

As Eritrea has underlined on various occasions before, the draft resolution under discussion by the Security Council, and more pointedly, the malicious accusations and hostile acts levelled against Eritrea by the United States have no basis in fact or law. This can be easily demonstrated by the following:

1. The draft resolution alludes to, and is packaged as, emanating from the "decision of the 13th Assembly of the African Union in Sirte, calling on the Council to impose sanctions against Eritrea". This is not borne out by the facts. Indeed it represents a vicious and deliberate distortion of a complex reality in order to impart a "continental dimension" to the machinations of the United States and its handful of allies. The issue of sanctions was not adequately addressed by the African leaders during the 13th Assembly of the African Union. The Libyan Arab Jamahiriya, as the current Chair of the African Union and a member of the Security Council, is not in favour of the adoption of the draft resolution by the Security Council. On a more substantive level, the Security Council's function is not to rubber-stamp resolutions adopted by a regional organization when invoking Chapter VII of the United Nations Charter to impose sanctions on a Member State but to do so only on the basis of incontrovertible facts and law.



2. The Somalia Monitoring Group had earlier accused Eritrea, without any evidence, of "supplying arms to those opposing the Transitional Federal Government". This clause has now been quietly dropped from the draft. Instead, the new label portrays Eritrea as "providing political, financial and logistical support to armed groups engaged in undermining peace and reconciliation in Somalia". Again, the allegations of political, financial and logistical support are not explained or substantiated. How can Eritrea provide logistical support to armed groups when it does not have land or sea connectivity with Somalia? Does Eritrea have the financial wherewithal to bankroll armed groups in Somalia? As for political support, the presumption is ludicrous indeed. Is it the mandate of the Security Council to penalize any Member State on account of the political views it holds? Has the Security Council ever imposed sanctions against one or more countries because they have not recognized an independent country or Government? Are these accusations sufficient in themselves to empower the Security Council to slam sanctions on a Member State?

3. Eritrea's putative "border dispute" with Djibouti is also invoked in the draft resolution. This cannot be serious by any standards. Obviously, the transparent intention is to pile up accusations against Eritrea in order to demonize it. When the Security Council, under the instigation of the United States, has for the last nine years tolerated Ethiopia's occupation of sovereign Eritrean territories, how can one explain this "new-found concern" on a border dispute that does not really exist? How can one explain this duplicity and double standard?

The facts highlighted above underscore the political motivations of the United States Administration in peddling the resolution in question despite Eritrea's continued constructive engagement to improve bilateral relations. Indeed it must be emphasized that the unprovoked hostility of the United States towards Eritrea predates and transcends any recent developments or differences on Somalia.

Eritrea's position on the crisis in Somalia, both on the diagnosis and solution of the problem, is too well-known to merit lengthy repetition here. For the purposes of emphasis, however, the main pillars of the policy can be summarized as follows: (i) full respect of the sovereignty, territorial integrity and independence of Somalia; (ii) full support to viable political processes that allow the full participation of the Somali people and that usher in a healthy environment; (iii) rejection of external military interventions that have complicated the situation and polarized the Somali people to incur huge loss of life; (iv) opposition to the fragmentation of the Somali State into mini-States unless this is the outcome of a lawful process reflecting the independent choice of the Somali people; and (v) differentiation between the presumed threat of terrorism and the Somali crisis, which is really rooted in complex developments including clan rivalries and a political vacuum that has lasted for almost 20 years now.

A resolution to the crisis in Somalia has proven elusive to date because these critical parameters have been ignored or glossed over in the past by the United States and its regional allies. Misguided policies of the United States in Somalia, and especially Ethiopia's invasion of Somalia in 2006 that took place with the support of the Bush Administration in blatant violation of international law, has aggravated the crisis beyond proportions. With close to 3.8 million people internally displaced or urgently in need of relief, Somalia has once again become the site of the world's worst humanitarian crisis.

Eritrea's stance on Somalia is furthermore shared by many countries in Africa, the Middle East, Europe and other parts of the world. There was a notable convergence of views on several aspects of this policy with the European Union mission on Somalia that visited Eritrea last month. Even in the United States, there is a growing chorus of opinion among knowledgeable people and policymakers who have begun to question the flawed policy to advocate an alternative strategy.¹ But even in the absence of this growing consensus on the pitfalls of past policies, it must be recognized that Eritrea has an inalienable right to hold differing views on a critical matter in its neighbourhood and that affects its national security. The Security Council cannot penalize Eritrea for its views simply because they do not follow or conform to Washington's policy choices and preferences.

The draft resolution tabled in the Security Council thus has no factual or legal justifications. As described earlier, United States policies of unprovoked hostility against Eritrea do not largely emanate from, or are not primarily triggered by, political differences on Somalia. The Bush Administration was pivotal in obstructing the administration of justice and international law and in paralysing the Security Council from taking effective measures to uphold the decisions of the Eritrea-Ethiopia Boundary Commission. The draft resolution has also been wickedly packaged to include numerous measures in the hope that with some "inevitable horse trading", any diluted form will at the minimum impose some variant of these sanctions to ensnare Eritrea in a quagmire.

In this regard, Eritrea urges all members of the Security Council to use their influence to ensure the rejection of this draft resolution in its entirety. Arguments by some well-intentioned parties to annul the "targeted sanctions" and adopt, as a compromise, the arms embargo "as the least evil" measure cannot be justified by any standards. Furthermore, this measure risks engulfing the region in another cycle of conflict as it may encourage Ethiopia to contemplate reckless military adventures.

The people of Eritrea had suffered injustices in the past at the hands of the United Nations in order to cater for overriding United States global strategies. Sixty years later, similar injustices appear to be in the offing. Should this transpire, the consequences will not be light and responsibility will rest squarely on all those who are guilty of perpetrating injustices against Eritrea.

I would be most grateful if the present letter could be circulated as a document of the Security Council.

(Signed) Araya Desta
Ambassador
Permanent Representative

¹ See Bronwyn Bruton, "In the Quicksands of Somalia", *Foreign Affairs*, November/December 2009, available at www.foreignaffairs.com/author/bronwyn-bruton.